

ENTERED

November 29, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PLYMOUTH COUNTY	§	
RETIREMENT ASSOCIATION, <i>et</i>	§	
<i>al.</i> ,	§	
Plaintiffs.	§	
	§	CIVIL ACTION NO. 4:21-cv-00575
V.	§	
	§	
APACHE CORPORATION, <i>et al.</i> ,	§	
	§	
Defendants.	§	

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On September 15, 2021, this case was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 42. Judge Edison filed a Memorandum and Recommendation on September 15, 2022, recommending that Defendants' Motion to Dismiss Plaintiffs' Consolidated Class Action Complaint (Dkt. 71) be **DENIED**. Dkt. 76.

On October 13, 2022, Defendants filed their Objections. Dkt. 79. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

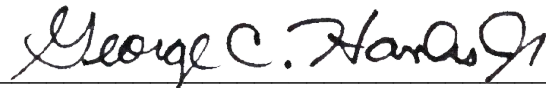
The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison's

Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 76) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court; and
- (2) Defendants' Motion to Dismiss Plaintiffs' Consolidated Class Action Complaint (Dkt. 71) is **DENIED**.

It is so **ORDERED**.

SIGNED and ENTERED this 29th day of November 2022.

A handwritten signature in black ink, reading "George C. Hanks, Jr.", is written over a horizontal line.

GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE